

Wetlands Bureau Decision Report

Decisions Taken
07/20/2009 to 07/26/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2007-01506

ST PAULS SCHOOL

CONCORD Turkey River, Library Pond & Lower School Pond

Requested Action:

Proposal to amend part "(a)" of the previously permitted activities. The proposed amendment will change from the installation of two 32 ft wide x 8 ft rise x 57 ft run concrete arch culverts to retaining the existing bridge and adding three 10 ft span x 4.6 ft rise by 65 ft long box culverts.

APPROVE AMENDMENT:

Dredge and fill a total of 3715 square feet within the bed and banks of Lower School Pond, Library Pond and the Turkey River to improve the peak discharge of key structures for flood control further described as follows:(a) Permanently impact 1310 square feet for the installation of three 10 ft wide x 65 ft long x 4.6 ft high concrete box culverts and temporarily impact 735 square feet for construction access and temporary water diversion to improve the hydrologic connection between Lower School Pond and Library Pond.

(b) Permanently impact 550 square feet for the installation of a 16 ft wide x 55 ft long x 8 ft wide box culvert with a flood control gate and enlarge existing dam spillway to increase the peak flow rate between Library Pond and the Turkey River and temporarily impact 1120 square feet for construction access and temporary water diversion.

With Conditions:

1. All work shall be in accordance with plans by VHB Inc dated June 26, 2007, and revised through August 7, 2007, as received by the Department on August 10, 2007 and revised changes for the Rectory Road crossing by Provan & Lorber, Inc., dated July 2009, as received by the Department on July 10, 2009.
2. This permit is contingent on review of plans for the changes at the dam by the DES Dam Safety Program.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Work shall be done during drawdown. Drawdown shall not occur during the winter months to maintain the pond elevation for possible hibernating species of concern.
7. Trees removed as part of the proposed project will be replanted with native species following construction.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. No equipment shall enter the water.
10. All work shall be done from the top of the bank.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
12. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
18. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
19. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in

sediment entering a wetland or surface water.

20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

21. Proper headwalls shall be constructed within seven days of culvert installation.

22. Area of temporary impact shall be regraded to original contours following completion of work.

23. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

24. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

25. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

26. Silt fencing must be removed once the area is stabilized.

27. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

28. The proposed box culvert at the Hargate Dam shall only be opened in the event of a large storm event and the elevation of Library Pond shall be maintained.

With Findings:

DES reaffirms findings 1 through 9 with additional findings.

1. This is a major impact project per Administrative Rule Env-Wt 303.03(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on June 8, 2007. Field inspection determined the proposed impacts are reasonable.

6. The box culvert at the Hargate Dam will be activated only during large storm events maintaining the existing water level of Library Pond.

7. Downstream impacts are not anticipated as flood waters back up to the base of the Hargate Dam.

8. The Department has determined that the proposed flood wall is in compliance with Env-Wt 483-B.

9. The timeframe of the drawdown is limited due to the presence of a species of concern.

10. The New Hampshire Fish and Game, Nongame and Endangered Species Program does not expect impacts from this project as long as the existing bridge remains functioning.

11. The Dam Bureau provided correspondence that the stated they had no issues with the permit amendment.

12. This amendment was processed as a significant amendment per RSA 482-A:3 XIV.(e).

2008-02781 NH FISH & GAME DEPARTMENT NEWBURY Sunapee Lake

Requested Action:

Excavate 125 sq ft of bank and dredge 2,490 sq ft of lake bed to construct a dual launch boatramp with an 8 ft x 30 ft permanent, floating, center pier, to provide public access to Lake Sunapee from property located off Birch Grove Road, in Newbury, having an average of 664 ft of lake frontage.

APPROVE PERMIT:

Excavate 125 sq ft of bank and dredge 2,490 sq ft of lake bed to construct a dual launch boatramp with an 8 ft x 30 ft permanent, floating, center pier, to provide public access to Lake Sunapee from property located off Birch Grove Road, in Newbury, having an average of 664 ft of lake frontage.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford, and Thorndike, LLC dated April 20, 2009, as received by DES on April 23, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low water conditions.
4. Appropriate siltation, erosion, and turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. There shall be no removal of any stumps from the bank except for the area within which construction of the ramp will take place.
6. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
7. The permittee shall be responsible for the following:
 - a. providing a handicapped parking spot,
 - b. providing a kiosk where state and local agencies can post notices, or rules and restrictions regarding responsible boating and environmental practices.
8. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee.
9. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
10. The boat ramp shall be utilized indefinitely as a public access to Lake Sunapee and shall not change in use.
11. This permit, and all work authorized by it, is contingent on approval by the DES Alteration of Terrain Program.
12. This permit, and all work authorized by it, is contingent on approval by the DES Shoreland Program.
13. All dredged and excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
15. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

Standards for Approval

1. Pursuant to RSA 482-A:3, I, (a), Excavating and Dredging Permit; Certain Exemptions, "no person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department."
2. Pursuant to RSA 233-A:1, Definitions, "In this chapter... III. "Public access" means legal passage to any of the public waters of the state by way of designated contiguous land owned or controlled by a state agency, assuring that all members of the public shall have access to and use of the public waters for recreational purposes, as defined in RSA 271:20-a, I.
3. Pursuant to RSA 233-A:1, Definitions, "In this chapter... IV. "Public boat access area" means an area adjacent to a public body of water which is owned or controlled by the state, accessible to the public, and has been designated by the fish and game department as a boat launching area under the statewide public boat access program.
4. Pursuant to RSA 233-A:2, II, Public Water Access Advisory Board, "the duties of the board shall be to... (a) Advise and monitor state agency public access efforts including the statewide public boat access program, (b) Coordinate activities of state agency public water access efforts... (e) Recommend to the fish and game department, priorities for the siting and development of public boat access areas, based on the demands and needs for different types of public boat access areas and public water bodies giving consideration to any lists provided to the board by any associated groups or interested parties."
5. Env-Wt 101.69 "Practicable" means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.
6. In accordance with Rule Env-Wt 302.04, (a), (1), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate the need for the proposed impacts.
7. In accordance with Rule Env-Wt 302.04, (a), (2), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site;
8. This project is classified as a major impact project per Rule Wt 303.02(d), construction of a dock associated with a breakwater.

Findings of Fact

1. On December 22, 2008 the Department of Environmental Services (DES) received an application from the NH Department of Fish and Game (F & G) for impacts to the bank and bed of Lake Sunapee, in the town of Newbury, for the purpose of providing public boating access to Lake Sunapee.
2. The property on which the impacts are proposed is identified as Newbury tax map 19, lot 244, block 401 (the "Property"). The Property has an average of 664 feet of frontage on Lake Sunapee.
3. Lake Sunapee is a public waterbody controlled by the state and thus is included in the statewide public boat access program.
4. DES held a public hearing in the town of Sunapee on the evening of May 13, 2009 for the purpose of gathering information and public comment relative to the proposed impacts to the jurisdiction of the DES Wetlands Bureau. The attendance sheets of the public hearing contain 147 signatures.
5. The impacts within the jurisdiction of the DES Wetlands Bureau that are subject to review and approval under RSA 482-A are limited to those occurring within the bank and bed of Lake Sunapee. This approval does authorize any impact outside of the jurisdictional limits of RSA 482-A. Conversely, this decision was based solely upon the direct impacts occurring within the jurisdiction subject to RSA 482-A.

Rulings in Support of the Decision Pertaining to the Need for the Proposed Impacts

1. Various individuals that spoke at the public hearing questioned the need for additional boating access, particularly power-boating access, to Lake Sunapee.
2. RSA 233-A establishes the Public Water Access Advisory Board (PWAAB) and clearly vests PWAAB with the responsibility for evaluating the public water access needs of the State of NH.
3. Information submitted by the Applicant as well as individuals testifying at the public hearing illustrates that PWAAB has reviewed the issue of public access to Lake Sunapee and found it to be lacking.
4. On July 12, 2004, PWAAB issued a written directive instructing F & G to develop the Property to provide public access to Lake Sunapee.
5. PWAAB has submitted documentation to the application file confirming that the Property was purchased for the purpose of providing boating access to Lake Sunapee.
6. The need for additional boating access to Lake Sunapee was established by the Board duly authorized to do so under RSA 233-A and DES has no cause to dispute the findings of that Board.
7. Accepting that there is a need for boating access to Lake Sunapee, DES finds that a certain level of bank and lakebed impact is inherently necessary in boat launch project design.
8. The need for the proposed impacts has been established as required pursuant to Rule Env-Wt 302.04, (a), (1).

Rulings in Support of the Decision Pertaining to the Least Impacting Practicable Alternative

1. Various individuals that spoke at the public hearing maintained that there were less impacting alternative sites that could be utilized to provide public boating access to Lake Sunapee.
2. F & G owns the Property and thus the property is a practicable alternative.
3. None of the alternative sites identified by those opposed to the use of the Property for public boating access are currently owned or controlled by F & G. Information submitted to the file indicates that F & G has made efforts to obtain rights to those sites over the last 10 to 15 years but has been unsuccessful in those efforts. Sites that are beyond the ability of F & G to own or control cannot reasonably be considered "practicable alternatives."
4. There is currently car top and small craft launch access to Lake Sunapee available at the Sunapee State Park Beach maintained by the Department of Resources and Economic Development.
5. Several parties have suggested that a boat ramp, adequate for the launching of power boats, could be developed at the state beach.
6. Information provided with the application indicates that there is no potential for the expansion of parking at the state beach site and therefore there would be no real increase in public access to Lake Sunapee as potential boaters would simply displace potential swimmers.
7. Use of any launch designed and constructed at the state beach site would require boaters to navigate in close proximity to, if not actually through, the area utilized by swimmers.
8. The risk of injury to swimmers using the state beach associated with the increased boating activity that would result from the development of a boat launch at the site precludes the consideration of the state beach as a practicable alternative.
9. The existing car top and small craft launch at the state beach is actually located on a stream that flows into Lake Sunapee

immediately adjacent to the beach.

10. Impacts necessary to upgrade the state beach access point to accommodate power boats would include dredging of the reach of the stream for the ramp to its confluence with Lake Sunapee as well as a portion of the lake itself. Future dredging of the entire area would be required to maintain depth due to the natural processes of sediment deposition in the stream.
11. A portion of the stream channel belongs to the abutting property owners and could not be dredged without the owners consent.
12. Increasing the depth of the stream will change the hydraulics of the stream in a manner that would adversely impact the stability of the banks adjacent to, and upstream from, the dredge area.
13. The extensive and repeated dredging required to upgrade the state beach site, in combination with the potential destabilization of the stream banks, would have a greater environmental impact than the construction of a boat access facility at the Property.
14. Review of the plans on file has found that, given the characteristics of the Property, the site selected for the construction of the launch ramp will require the least amount of impact to jurisdictional areas while providing the necessary access to the water body.
15. The project as designed, on the site available, meets the requirements of Rule Env-Wt 302.04, (a), (2), Requirements for Application Evaluation.

Rulings in Support of the Decision Pertaining to the Comprehensive Shoreland Protection Act

1. Various individuals that spoke at the public hearing maintained that the proposed project violates the standards of RSA 483-B, the Comprehensive Shoreland Protection Act (the "CSPA").
2. Impacts within the adjacent shorelands protected under RSA 483-B were reviewed, evaluated and permitted in accordance with the standards established under that statute by the DES Shoreland Program.
3. This project received Shoreland Permit # 2008-02755 from the DES Shoreland Program on January 7, 2009 with a subsequent amendment and approval issued May 22, 2009.
4. In accordance with Condition # 12 of the approval this permit is no longer effective if for any reason Shoreland Permit # 2008-02755 is invalidated or overturned.

Rulings in Support of the Decision Pertaining to the Impact of the Project on Water Quality

1. Various individuals that spoke at the public hearing maintained that the proposed project will adversely impact water quality and will increase pollutant loading in violation of state water quality standards.
2. A storm water management plan and water quality protection measures as necessary to meet the water quality protection standards established under RSA 485-A:17 was reviewed, evaluated and approved by the DES Alteration of Terrain Program.
3. This project received Alteration of Terrain Permit WPS-8382 on April 16, 2009.
4. In accordance with Condition # 11 of the approval this permit is no longer effective if for any reason Alteration of Terrain Permit WPS-8382 is invalidated or overturned.

Rulings in Support of the Decision Pertaining to Impacts to Habitat and Sensitive Areas

1. Concerns were raised at the public hearing that the proposed project would adversely impact sensitive wildlife habitat areas.
2. The site is not listed as critical habitat for any endangered or threatened species.
3. There is no evidence that the proposed impacts to the bank and lakebed associated with the construction of the boat ramp will not adversely affect sensitive areas or the overall wildlife habitat associated with the Lake Sunapee ecosystem.

Rulings in Support of the Decision Pertaining to the Potential Spread of Milfoil

1. Concerns were raised at the public hearing that the proposed boat launch would contribute to the spread of invasive milfoil species in Lake Sunapee.
2. Invasive milfoil species already occur in Lake Sunapee and are the focus of cooperative control efforts between local, non-profit, and state agencies.
3. The proposed launch site would be no more conducive to the spread of milfoil than any other potential launch site.
4. While DES is committed to the control and eradication of invasive species in state waters, taking the position that no additional public access facilities will be permitted in order to prevent the potential spread of invasive species would be unreasonable and perhaps unlawful.

Rulings in Support of the Decision Pertaining to Navigational Issues

1. Concerns were raised at the public hearing that the proposed boat ramp would be difficult to utilize due to cross winds, abandoned cribs which may exist off-shore, and a large boulder that may pose a hazard to navigation.
2. The proposed ramp has been located behind a pre-existing stone jetty that will provide shelter from any waves generated by crosswinds at the site.
3. DES has seen no evidence that the alleged abandoned cribs exist in an area that could present a hazard to individuals utilizing the proposed ramp.
4. At full lake, the large boulder cited as a possible hazard to navigation has at least 6 ft of water over it and would not be considered a hazard to navigation.
5. There is no evidence that there will be adverse impacts to navigation as a result of the proposed ramp construction.
6. There is no evidence of any navigational issues that would preclude the use of the proposed site for public access to Lake Sunapee.

Rulings in Support of the Decision Pertaining to Municipal Interests

1. During the public hearing representatives from municipalities surrounding Lake Sunapee voiced concerns over perceived disregard for local regulations by the Applicant.
2. While the Department is aware of the allegations that the Applicant has refused to cooperate with municipal officials and give consideration to local zoning regulations, the enforcement of municipal ordinances is beyond the authority of DES and as such cannot factor into the decision to approve or deny this application.
3. During the public hearing representatives from municipalities surrounding Lake Sunapee voiced concerns regarding increased cost to the towns associated with the need to police the launch or respond to traffic related emergencies that may be associated with increased public use of the parcel and surrounding roads.
4. The financial ramifications associated with the behavior of individuals that may utilize the proposed access site or surrounding roadways is speculative and beyond the authority of DES, and as such cannot be a factor in the decision to approve or deny this application.

Rulings in Support of the Decision Pertaining to Traffic Safety on Route 103

1. Various individuals that spoke at the public hearing maintained that the increased number of vehicles towing trailers that will utilize Rte 103 to reach the new launch facilities to be located off Birch Grove Road.
2. The alleged impact on traffic flows on Rte 103 is well beyond the jurisdiction given to DES under RSA 482-A, and as such cannot enter into the Department's decision on whether or not the permit should be issued.

-Send to Governor and Executive Council-

2009-00754 SWANZEY, TOWN OF
WEST SWANZEY Ashuelot River

Requested Action:

Dredge and fill 87,212 square feet within the bed and banks of the Ashuelot River (impacting approximately 650 linear feet) to remove an existing dam (Homestead Woolen Mill Dam) and install 3 stone cross vanes and associated channel reshaping to restore this reach of the Ashuelot River to a free flowing condition. Impacts include installing stream barbs directly upstream of an existing historic bridge (Thompson Covered Bridge) and installing stone scour protection measures along the toe of the existing abutments and center pier to protect this important historic structure.

APPROVE PERMIT:

Dredge and fill 87,212 square feet within the bed and banks of the Ashuelot River (impacting approximately 650 linear feet) to remove an existing dam (Homestead Woolen Mill Dam) and install 3 stone cross vanes and associated channel reshaping to restore this reach of the Ashuelot River to a free flowing condition. Impacts include installing stream barbs directly upstream of an existing historic bridge (Thompson Covered Bridge) and installing stone scour protection measures along the toe of the existing abutments and center pier to protect this important historic structure.

With Conditions:

1. All work shall be in accordance with revised plans by Hoyle, Tanner & Associates (HTA) and Vanasse Hangen Brustlin (VHB) dated July 2009, as received by DES on July 7, 2009.
2. At least 2 weeks prior to the start of construction, the selected contractor shall submit a final river diversion/dewatering plan to DES for review and approval.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with DES Water Division staff to review the conditions of the wetland permit. It shall be the responsibility of the permittee(s) to schedule the pre-construction meeting, and the meeting shall be attended by the permittee(s), his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
4. Dam removal/river restoration activities shall be conducted simultaneously with the installation of scour protection measures for the bridge in order to minimize the duration of in-stream activities.
5. The applicant(s) shall be responsible for mitigating the project's effect on known populations of the federally-endangered dwarf wedgemussel through survey and relocation, as agreed upon with the US Fish & Wildlife Service.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Riparian buffer and upland areas that are disturbed from construction activities shall be properly stabilized and planted in accordance with the "Planting Plan" by VHB dated July 2009, and plantings shall be installed in a manner that doesn't impede future access to the Ashuelot River.
12. The permittee(s) shall attempt to control invasive species (e.g. Japanese knotweed, Oriental bittersweet, Honeysuckle, etc.) by measures outlined in the July 2009 plans submitted by HTA and VHB and agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.
13. Riparian buffer and upland areas shall have at least 75% successful establishment of native vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional buffer is replicated in a manner satisfactory to the DES Wetlands Bureau.
14. The permittee(s) shall designate a qualified professional who will be responsible for monitoring and ensuring that the project is constructed in accordance with the final plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
15. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid, and faulty equipment shall be repaired prior to entering surface waters or wetlands.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Temporary cofferdams shall be entirely removed immediately following construction.
20. This permit is contingent on approval of the project and authorization to proceed with work under the jurisdiction of the DES Dam Bureau.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
22. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
23. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible

for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(c) & (i), as impacts are greater than 20,000 square feet and greater than 200 linear feet within the bed and banks of the Ashuelot River.
2. The project proposes to restore this reach of the Ashuelot River to a free flowing condition by removing the dam and installing stone cross vanes. Additionally, scour protection measures will be installed upstream to protect the historic covered bridge.
3. The River Restoration Task Force, which is made up of staff from the USFWS, ACOE, NMFS, NHF&G, DES, TU, and LAC's, have been reviewing and planning this dam removal/restoration/stabilization project for more than a decade.
4. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
7. DES Staff conducted a field inspection of the proposed project on January 13, 2006. Field inspection determined that the dam was in disrepair and is a good candidate for removal because of the poor condition.
8. The project meets Mitigation Rule Env-Wt 803.06(a) and (b), as the project proposes to have greater benefit to water quality, wildlife and their habitats, fisheries, and other functions and values of wetlands and surface waters identified in RSA 482-A:1; and the project proposes to restore the functions and values within a degraded jurisdictional area.
9. Public hearing is not required with the finding that the project will not impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Rule Env-Wt 101.90.

MINOR IMPACT PROJECT

2005-02755 CONLEY, DONALD & TRICIA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Amend permit to add a 6 ft x 4 ft concrete pad to anchor the dock.

Conservation Commission/Staff Comments:

No Con Com comments by January 13, 2006

The Loon Preservation Committee has submitted comments

NH NHI and NH Fish and Game will not be submitting comments

APPROVE AMENDMENT:

Amend permit to read: Construct a 6 ft x 39 ft seasonal dock with a 6 ft x 27 ft seasonal dock attached in a "T" configuration providing 3 slips, construct a 6 ft x 4 ft concrete pad to attach the dock, excavate 340 sq ft to construct a 17 ft x 14 ft perched beach on an average of 176 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

Amend conditions to read:

1. All work shall be in accordance with plans by Folsom Design Group dated October 31, 2005, revision date January 23, 2006, as received by the Department on February 2, 2006, and concrete pad amendment plans as modified by Watermark Marine Construction received on June 16, 2009.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Dredged or excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
6. The property owner shall contact the Loon Preservation Committee to obtain information and guidelines to help ensure the safety and breeding success of loons.
7. The applicant shall submit an evaluation of the docking structure's impact on the Common Loons in this vicinity to the Department, from the Loon Preservation Committee, in 5 years. If the report shows the dock has adversely impacted the nesting Loons in the cove then the dock shall be permanently removed from the waterbody.
8. No construction shall take place between May 30 and July 1 unless written permission is granted by the Loon Preservation Commission. Such permission shall only be valid for the year in which it is issued.
9. Seasonal pier shall be removed from the lake for the non-boating season.
10. No portion of the pier shall extend more than 39 feet from the shoreline at full lake elevation.
11. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
12. The concrete pad shall be entirely located above full lake elevation and behind full lake elevation of 504.32.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
14. The steps installed for access to the water shall be located completely landward of the normal high water line.
15. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
16. This permit shall be used only once, and does not allow for annual beach replenishment.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
19. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
20. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 3 slip docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 177 feet of frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Wt 402.12.

2007-00667 TWIN BRIDGE LAND MANAGEMENT LLC
NEW BOSTON Unnamed Wetland

Requested Action:

Amend permit to eliminate the dredge and fill of 1,010 square feet of palustrine forested wetlands for the installation of a 12-inch x 20-foot HDPE culvert for driveway access to a proposed single lot.

APPROVE AMENDMENT:

Dredge and fill 2,432 square feet of palustrine forested wetlands to install a 4-foot X 4-foot x 40-foot embedded concrete box culvert for road access to a 23-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated March 30, 2007, as received by the Department on May 10, 2007 and plans by Meridian Land Services, Inc. for proposed tax map/lot 2/62-14, dated April 24, 2008, and revised through September 03, 2008, as received by the Department on July 08, 2009.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback, with exception of remaining tax map/lot 2/62.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval, with exception of tax map/lot 2/62.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Work shall be done during low flow conditions.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.
15. This permit is contingent on the receipt of post-development tax maps to be consistent with subdivision plans approved by this permit.

With Findings:

The DES Wetlands Bureau reaffirms original findings no.'s 1 - 11:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands.
2. A previous 7-lot subdivision of tax map/lot 2/62 was approved in 1997.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. In a letter dated April 19, 2007, the New Boston Conservation Commission stated the Commission had no objections to the proposed project.
5. Piscataquog River Local Advisory Committee April 30, 2007, meeting minutes requested additional subdivision plans that depict the entire site development in order to complete review of the proposed project.
6. Additional comments from the Piscataquog River Local Advisory Committee were not submitted.
7. The Environmental Protection Agency (EPA) requested a vernal pool survey and 100-foot stream buffers.
8. The applicant's certified wetland scientist confirmed there are no vernal pools or streams on site.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

The DES Wetlands Bureau also makes the additional findings:

12. The amendment was requested because access to tax map/lot no. 2/62-6 (on Meridian plans dated March 30, 2007, and received May 10, 2007), also identified as tax map/lot no. 2/62-14 (on Meridian plans dated April 24, 2008, and revised though September 03, 2009, received July 08, 2009) was relocated and constructed without the previously approved 1,010 sq. ft. of impact.
13. See related DES Wetlands Bureau file no. 2009-00428.
14. DES Staff conducted a field inspection of the proposed project on June 30, 2009. Field inspection determined possible DES

Wetlands Bureau and Alteration of Terrain Program violations.

15. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.

16. This permit is contingent on the receipt of post-development tax maps to be consistent with subdivision plans approved by this permit.

2008-01637 CHARLESTOWN, TOWN OF
CHARLESTOWN Tributary To Connecticut River

Requested Action:

Confirm Emergency Authorization issued on August 18, 2008, to dredge \pm 1,200 square feet of Lower Reservoir/Clay Brook to breach 15 linear feet of existing dam (Dam No. 41.10).

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued on August 18, 2008, to dredge \pm 1,200 square feet of Lower Reservoir/Clay Brook to breach 15 linear feet of existing dam (Dam No. 41.10).

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream.
2. During a field inspection conducted on August 14, 2008, the DES Dam Bureau reclassified the Lower Reservoir Dam from non-menace to low hazard.
3. An Emergency Authorization to breach 15 linear feet of the Lower Reservoir Dam was issued by the DES Wetlands Bureau on August 18, 2008.
4. In correspondence dated February 02, 2009, the DES Dam Bureau indicated that due to the dam partial breach the classification was lowered to non-menace.
5. As required by condition of the Emergency Authorization, a Standard Dredge and Fill Application was received on September 25, 2008.
6. Town financial restrictions and site access limit further removal of remaining dam concrete at this time.
7. The NHFG Fisheries Division has reviewed work completed under the emergency and financial restrictions of the town and did not request additional work at the site.
8. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-02003 SCALLEY, DAVID
BETHLEHEM Unnamed Wetland

Requested Action:

Proposal to impact 900 sq. ft. of wetlands to install a 18" x 30' culvert in an existing logging road to used for a driveway for one lot of a proposed two lot residential subdivision. Work in wetlands consists of reconstructing the existing wetlands fill and adding a culvert and headwalls.

APPROVE PERMIT:

Approval to restore approximately 600 sq. ft. of historically impacted wetlands and impact 341 sq. ft. of wetlands to construct a

driveway to one lot of a proposed two lot residential subdivision. Work in wetlands consists of removing the existing access fill in wetlands, regrading and planting with a native wetland seed mix, shrubs and trees, constructing the new crossing, with and 18 in. x 30 ft. culvert, associated filling, grading, side slope seeding and culvert headwalls.

With Conditions:

1. All work shall be in accordance with plans by Kellogg Surveying & Mapping, Inc. dated April 2008 (revised through June 2009 but no revision date), as received by DES on June 24, 2009 and narratives by Lobdell Associates, Inc. dated June 17, 2009, as received by DES on June 24, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The restoration area shall be completed and stabilized before construction of the new driveway crossing.
5. The wetland restoration work shall be monitored by a New Hampshire Certified Wetlands Scientist ("CWS") with a follow-up monitoring report submitted by the CWS within 30 days of completion of the restoration area and an additional follow-up report after one full growing season, which, clearly depicts the restoration area and the new vegetated, stable and complete driveway crossing.
6. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain project specific conditions #2, #3, #4, #5, and #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Grafton County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Work shall be done during low flow.
13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a) Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The project does not qualify as a minimum impact due to the previous subdivision.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. It is unknown when the existing crossing was installed, however, the agent has indicated that the site was logged in the early

1980's and farmed before that.

7. It appears the existing crossing could be used for the proposed lot without additional impacts.
8. This proposal removes a nonconforming crossing, results in less wetlands impacts than exists on the lot and provides a culvert for a proper hydrological connection.
9. DES has not received any comments from the Conservation Commission or comments in opposition to the proposed project.

2008-02277 DELONG, ROBERT
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a 6 ft x 30 ft seasonal dock connected to a 6 ft x 50 ft seasonal dock by a 6 ft x 12 ft seasonal walkway in a "h" configuration on an average of 200 feet of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com has concerns about congestion 100 ft long dock will cause

APPROVE PERMIT:

Install a 6 ft x 30 ft seasonal dock connected to a 6 ft x 50 ft seasonal dock by a 6 ft x 12 ft seasonal walkway in a "h" configuration on an average of 200 feet of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Don Carey dated July 12, 2009, as received by DES on July 17, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 50 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project. Field inspection determined the proposed 100 foot long dock would be excessive in length for the area.
6. The applicant has an average of 200 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2008-02804 MOORE, MARK & INNA
NEWBURY Lake Sunapee

Requested Action:

Construct a 6 ft x 30 ft piling pier and 10 ft x 6 ft walkway connected to an existing 6 ft x 30 ft crib pier extending from an existing 22 ft x 12 ft deck located over the bank and surface water. Install a piling supported boat lift, seasonal boatlift, 2 seasonal personal watercraft lifts, and a 14 x 30 ft seasonal canopy on an average of 218 ft of frontage on Lake Sunapee, in Newbury.

Conservation Commission/Staff Comments:

No comments from the local Con Com by Feb 25, 2009

DENY PERMIT:

Construct a 6 ft x 30 ft piling pier and 10 ft x 6 ft walkway connected to an existing 6 ft x 30 ft crib pier extending from an existing 22 ft x 12 ft deck located over the bank and surface water. Install a piling supported boat lift, seasonal boatlift, 2 seasonal personal watercraft lifts, and a 14 x 30 ft seasonal canopy on an average of 218 ft of frontage on Lake Sunapee, in Newbury.

With Findings:

Standards for Approval

1. In accordance with Rule Env-Wt 402.03, (a) Dimensions, in lakes and ponds of 1,000 acres or more the standard dock length for permanent piers shall not exceed 30 ft and the width shall not exceed 6 ft.
2. Pursuant to Rule Env-Wt 402.09, (c), Structures Disallowed, (c) structures over public waters shall not be allowed for the transfer of any activities usually associated with land, including but not limited to sunbathing and picnicking.
3. Pursuant to Rule Env-Wt 402.06 (i), Permanent Piers, the maximum size for cribs constructed in water of a depth of 6 ft or less shall be 6 ft x 6 ft.

Findings of Fact

1. On December 29, 2008 the Department received an application for work on property identified as Newbury tax map 16, block 596, lot 16 (the Property) requesting to construct a permanent pier, walkway, lift, and seasonal canopy to be attached to an existing crib pier and deck that failed to conform to the current requirements of Chapter Env-Wt 400.
2. The existing 12 ft x 22 ft deck which is partially located over public waters exceeds the width allowed under Rule Env-Wt 402.03 and also is used to transfer land based activities over water contrary to Rule Env-Wt 402.09 (c).
3. The existing crib pier attached to the deck extends 33 ft lakeward of the normal highwater line, exceeding the standard length allowed per Rule Env-Wt 402.03. The pier is supported by a 6 ft x 12 ft crib which fails to conform to Rule Env-Wt 402.06.
4. On February 25, 2009 the Department issued a Request for More Information letter to the Applicant requesting, among other things, revised plans showing that the non-conforming deck and dock would be brought into compliance with Chapter Env-Wt 400.
5. On April 22, 2009, the Department received a response to the Request for More Information letter that included a requested for a waiver of Rule Env-Wt 402.21, instead of revised plans showing that the structures would be brought into compliance with the rules in Chapter Env-Wt 400.
6. The waiver request stated that the existing dock and deck were permitted in 1986 under permit #B-1473 .
7. The waiver request further states that "The previous permit included a deck over the water of 12 ft x 22 ft which is primarily over land. The old permit file is rather confusing, as the sketches in the permit file clearly do not align with the verbiage on the permit document (#B-1473), however, the dock constructed is congruent with the size and support of the sketches in the file (see attached sketch - 6 ft x 12 ft crib)."
8. Review of File #B-1473, has found that the previous owner requested that the Wetlands Board approve one of two alternative plans submitted with the application. One alternative was the restoration of the pre-existing 10 ft x 32 ft crib pier. The second alternative was the construction of two 6 ft x 20 ft crib piers connected by a 22 ft x 12 ft deck over the water.
9. Both the photographs and plans submitted to the file clearly show there was no pre-existing deck of any size over the bank or the surface water at that time.
10. On June 14, 1986, Board member, Vern Knowlton, field inspected the property and found only remnants of the pre-existing crib pier.
11. At the meeting of the Wetlands Board on June 24, 1986, Board member Hance moved that the Board approve only a 6 ft x 30 ft pier with tie of pilings.
12. Permit #B-1473, issued by the Wetlands Board on June 24, 1986, clearly states that the approved structures were a 6 ft x 30 ft dock and tie-off pilings.

13. The existing 12 ft x 22 ft deck over the bank and surface water was not permitted and was constructed in violation of RSA 482-A.

14. The existing 12 ft x 22 ft deck cannot be permitted after the fact as it fails to meet the current Wetlands Program Code of Administrative Rules and must be removed from the frontage.

Rulings in Support of the Decision

1. The 12 ft x 22 ft deck and 6 ft x 12 ft support crib fail to meet the current Wetlands Program Code of Administrative Rules cannot be permitted after the fact, therefore, the proposal to further modify these unauthorized structures is denied.

2008-02819 KING REVOC TRUST OF 1996, ANNA GOFFSTOWN Unnamed Wetland

Requested Action:

Proposal to dredge and fill 3125 sq. ft. of stream (147 linear feet) and associated wetlands for access to a proposed 8 lot residential subdivision including one open space lot. Work in wetlands consists of installation of a 6 ft. wide x 4 rise x 85 run box culvert, associated stream impacts and inlet and outlet protection.

APPROVE PERMIT:

Dredge and fill 4,488 sq. ft. of stream (approximately 190 linear feet) and associated wetlands for access to a proposed 8 lot residential subdivision including one open space lot. Work in wetlands consists of installation of a 16 ft. wide x 5 ft. rise x 75 ft. run naturally embedded box culvert, creation of a natural stream bed/channel with step-pools to recreate a channel similar to the impact area and adjacent stream habitat using large natural boulders in-filled with natural stream bed or similar materials.

With Conditions:

1. All work shall be in accordance with plans by Robert G. Rook, P.E., Consulting Engineer, Erosion Control Details sheet 7, dated December 2, 2008 and Construction Details plan sheet 6 revision dated March 11, 2009, and plans by FWS Land Surveying P.L.L.C., Open Space Subdivision Plat sheet SP1 and Wetland and Surface Water Conservation Plat sheet W1, revision dated April 1, 2009, as received by DES on April 8, 2009 and plans by Robert G. Rook, P.E. Consulting Engineer, , Roadway Plan sheet 1, Stormwater Pollution Prevention Plan sheet 5 and Overview Plan sheet OV-1 revision dated June 22, 2009, as received by DES on June 22, 2009 and Culvert Grading Plan sheet 1.1 and Profiles & Details sheet 2, revision dated June 22, 2009 as received by DES on July 22, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. This permit is contingent on approval by the United States Environmental Protection Agency ("EPA") of the proposed deed language for the open space lot for protection of the identified vernal pools on proposed Lot #28-0S.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Work shall be done during low flow.
11. The impacts to the stream at the proposed road crossing shall be restored/in-filled with natural round stone or existing streambed materials.
12. Areas from which vegetation has been cleared to gain access to the stream culvert site shall be replanted with like native species.

13. A New Hampshire Certified Wetland Scientist ("CWS") and Licensed Professional Engineer shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives.
14. A post-construction report documenting the status of the restored streambed and culvert installation shall be submitted to the Wetlands Bureau within 60 days of the completion of the crossing.
15. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
16. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
17. Unconfined work within the perennial streams, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
18. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
19. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
20. Temporary cofferdams shall be entirely removed immediately following construction.
21. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
22. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
23. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
25. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
26. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
27. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
28. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
29. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project site on May 14, 2009. The stream appeared very shallow and impassable to fish due to the step-pool habitat an old dam structure up stream. Alternative natural stream designs were discussed and suggested to mimic the existing habitat in the stream.
6. The applicant has revised the design to include a natural step-pool streambed in-filled with natural stone and large boulders.
7. The original proposal for the crossing was a 6 ft. wide x 4 ft. rise x 85 ft. run box culvert. The approved design is for a 16 ft. wide x 5 ft. rise x 75 ft. run embedded box culvert.
8. The proposed box culvert is sized to pass a 100-year storm event
9. The applicant has looked at alternative lot layouts and access designs.
10. The proposed access was the only one allowed by the town and the proposed stream impacts were needed to meet the required slope of the access road.
11. The applicant has added stormwater treatment structures.
12. The applicant is providing an approximately 30-acre open space lot.

13. The open space lot will provide protection for the identified vernal pools and the permit is contingent on approval of the open space deed language by the United States Environmental Protection Agency.

2009-00210 TROY WATER AND SEWER COMMISSION
JAFFREY Fassett Brook

Requested Action:

Approve reconsideration request to install a Fassett Brook crossing for access to a groundwater withdrawal well.

APPROVE RECONSIDERATION:

Approve reconsideration request to install a Fassett Brook crossing for access to a groundwater withdrawal well.

With Findings:

A. Grounds for Reconsideration

The request for reconsideration asserts the following as the basis for the request:

1. That Agent was unaware a Request for More Information was issued, and therefore was unaware of the 60 day deadline.

B. Standards and Process for Review

1. RSA 482-A:10, II requires the request for reconsideration shall describe in detail each ground for the request for reconsideration.
2. RSA 482-A:10, III provides that on reconsideration, the department will receive and consider any new and additional evidence presented, and make findings of fact and rulings of law in support of its decision after reconsideration.
3. RSA 482-A:10, V provides that the burden of proof is on the party seeking to set aside the department's decision to show that the decision is unlawful or unreasonable.
4. If the department is persuaded by a request for reconsideration of a permit denial was erroneous, the result is that the permit originally requested would be granted.

C. Findings of Fact and Rulings of Law

1. RSA 482-A:3, XIV establishes the process that the department must follow when processing applications and establishes deadlines by which decisions must be made.
2. The subject Minimum Impact Expedited Application was received February 09, 2009 and was determined to be administratively incomplete on February 10, 2009.
3. The applicant submitted outstanding items in a submittal received February 20, 2009.
4. The application was determined to be administratively complete on February 23, 2009.
5. By letter dated March 19, 2009, the department reclassified the project to a Standard Dredge and Fill Application.
6. By letter dated April 21, 2009, the department requested more information pursuant to RSA 482-A:3, XIV(a)(2) ("RFMI").
8. The department did not receive a complete response to the RFMI within the 60 days of the request per RSA 482-A:3, XIV(a)(2).
9. Based on RSA 482-A:3, XIV(a)(2), the department denied the application because the issues raised in the RFMI were not addressed.
10. A request for reconsideration was received on March 04, 2009. The reconsideration did not include a response to the April 21, 2009, RFMI.
11. By letter dated July 20, 2009, the department requested more information, including items outlined in the April 21, 2009, RFMI and drainage calculation to be submitted within 60 days of the date of the letter.

D. Decision

1. Based on the foregoing, the department has granted the reconsideration to the subject application, file number 2009-00210.

2009-00293 KING, WILLIAM
HOOKSETT Merrimack River

Requested Action:

Remove an existing, "L" shaped, floating dock, impact 26 sq ft of riverbed to reface an existing concrete footing and step, extend an

existing retaining wall across a 7 ft 3 in wide stairway, and install a 6 ft x 20 ft floating wharfto be accessed by a 3 ft x 16 ft gangway, extending from a 4 ft x 33 ft seasonal ramp anchored along the retaining wall face on an average of 440 ft of frontage along the Merrimack River in Hooksett.

APPROVE PERMIT:

Remove an existing, "L" shaped, floating dock, impact 26 sq ft of riverbed to reface an existing concrete footing and step, extend an existing retaining wall across a 7 ft 3 in wide stairway, and install a 6 ft x 20 ft floating wharfto be accessed by a 3 ft x 16 ft gangway, extending from a 4 ft x 33 ft seasonal ramp anchored along the retaining wall face on an average of 440 ft of frontage along the Merrimack River in Hooksett.

With Conditions:

1. All work shall be in accordance with plans by Watermark Planning and Permitting as revised June 12, 2009 and received by DES on June 17, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. The owner shall be responsible for executing a dock license agreement with Public Service of NH.
5. The refacing of the footing and step shall not exceed 6 inches in thickness from the current surfaces of those structures.
6. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
11. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
12. The seasonal wharf, gangway, walkway, and personal watercraft lifts shall all be removed from the river for the non-boating season.
13. No portion of the wharf shall extend more than 25 feet from the face of the retaining wall.
14. Work shall be done during low flow.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear ft of riverbank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Applicant has provided written authorization from Public Service of NH to complete the proposed project within the reach of the Merrimack River subject to their FERC license.

2009-00428 TWIN BRIDGE LAND MANAGEMENT LLC
NEW BOSTON Unnamed Wetland

Requested Action:

Dredge and fill \pm 7,500 sq. ft. of palustrine forested and scrub-shrub wetlands and intermittent stream to install two (2) 36-in. x 50-ft. embedded RCP culverts, a 4-ft. x 4-ft. x 72-ft. embedded box culvert and a 36-in. x 40-ft. embedded RCP culvert (4 crossings) for road and emergency access to a 23-lot subdivision on \pm 55.15 acres, including two (2) open space lots totaling \pm 34 acres.

APPROVE PERMIT:

Dredge and fill \pm 7,500 sq. ft. of palustrine forested and scrub-shrub wetlands and intermittent stream to install two (2) 36-in. x 50-ft. embedded RCP culverts, a 4-ft. x 4-ft. x 72-ft. embedded box culvert and a 36-in. x 40-ft. embedded RCP culvert (4 crossings) for road and emergency access to a 23-lot subdivision on \pm 55.15 acres, including two (2) open space lots totaling \pm 34 acres.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 22, 2009, and revised through June 19, 2009, as received by the DES Wetlands Bureau on July 08, 2009, and Subdivision Plans by Meridian Land Services, Inc. dated April 20, 2009, and revised through June 05, 2009, as received by the DES Wetlands Bureau on July 08, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Shoreland Program.
5. Portions of the access road that abut proposed open space lots tax map/lot no.'s 3/5-2.1 and 3/5-2.2 and existing tax map/lot no. 3/5-1, as depicted on plans approved by this permit, shall be for emergency access use only.
6. Further subdivision of open-space tax map/lot no.'s 3/5-2.1 and 3/5-2.2, as depicted on plans approved by this permit will require re-submittal of an application and future approval by the DES Wetlands Bureau. Approval for emergency access does not guarantee approval for subdivision access will be granted.
7. If waiver approval is obtained from the town for Concept D in accordance with plans by Meridian Land Services, Inc. dated January 22, 2009, and revised through June 19, 2009, as received by the DES Wetlands Bureau on July 08, 2009, an amendment shall be filed to this permit for the elimination of the emergency portion of the access road as referenced in condition no. 5 of this approval, including proposed wetland crossing D (1,100 sq. ft.).
8. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.
9. This permit is contingent on the receipt of post-development tax maps to be consistent with subdivision plans approved by this permit.
10. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
11. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 10 of this approval.
12. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
13. Work shall be done during low flow conditions.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
16. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Post-construction photographs documenting the status of the completed crossings shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of

alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. This permit approves wetland impacts associated with Phase II (final phase) of the proposed subdivision. Phase I wetland impacts were approved by Wetlands and Non-Site Specific Permit 2007-00667.
3. Wetlands and Non-Site Specific Permit 2007-00667 was amended to reduce approved impacts from 3,442 sq. ft. to 2,432 sq. ft.
4. The NH Natural Heritage Bureau (NHB) review indicated the presence of brook floater mussel and Eastern hognose snake in the project vicinity.
5. In correspondence received March 23, 2009, the NH Division of Historical Resources indicated a Phase I survey was required.
6. In correspondence dated April 23, 2009, the Environmental Protection Agency (EPA) raised concerns regarding completion of a vernal pool survey, explanation of Piscataquog River buffer protection and possible NH Natural Heritage Bureau comments.
7. In correspondence dated April 27, 2009, the Piscataquog River Local Advisory Committee (PRLAC) raised concerns regarding the projects close proximity to the Piscataquog River, runoff, culvert sizing and impacts to brook floater mussels.
8. The originally submitted design was revised to provide eliminate and reduce the acreage of residential lots to provide 34 acres of open space, increase buffers to the Piscataquog River and reduce a proposed subdivision road to emergency access.
9. In correspondence dated the June 23, 2009, the Russell Foundation expressed support for the proposed and stated their involvement will continue to ensure the designated open space is transferred to the appropriate conservation interests.
10. In email correspondence dated July 13, 2009, both the EPA and NHFG Nongame and Endangered Species Program indicated they did not have concerns regarding the revised proposal.
11. This permit contains conditions restricting and requiring additional approval for proposed road use and further wetland impacts.
12. DES Staff conducted a field inspection of the proposed project on June 30, 2009. Field inspection determined possible DES Wetlands Bureau and Alteration of Terrain Program violations.
13. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.
14. This permit is contingent on approval by the DES Alteration of Terrain Program, DES Shoreland Program and DES Subsurface Systems Bureau.
15. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
16. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
17. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00447 PSNH
ROCHESTER Unnamed Wetland

Requested Action:

Impact a total of 14,962 square feet of wetlands, including 11,261 square feet of temporary impact with mats for access, and 3,701 square feet of permanent impact for lot development for expansion of existing substation including construction of new switch yard; installation of new transformer and installation of new transmission lines.

APPROVE PERMIT:

Impact a total of 14,962 square feet of wetlands, including 11,261 square feet of temporary impact with mats for access, and 3,701 square feet of permanent impact for lot development for expansion of existing substation including construction of new switch yard; installation of new transformer and installation of new transmission lines.

With Conditions:

1. All work shall be in accordance with plans by TF Moran dated 2/3/2009, as received by DES on 3/16/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

5. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
6. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
7. Silt fencing must be removed once the area is stabilized.
8. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is necessary to increase the ability of the utility to provide adequate electricity to the public.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Rochester Conservation Commission did not report.

2009-00503 VON MAXCY, MONJA
OSSIPEE Unnamed Wetland

Requested Action:

Dredge and fill a total of 3,112 sq. ft. of wetlands (843 sq. ft. of temporary impact and 2,269 sq. ft. of permanent impact) for construction of a roadway crossing for development of a commercial site.

APPROVE PERMIT:

Dredge and fill a total of 3,112 sq. ft. of wetlands (843 sq. ft. of temporary impact and 2,269 sq. ft. of permanent impact) for construction of a roadway crossing for development of a commercial site.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering dated 6/19/2009, as received by DES on 6/22/2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 sq. ft. of alteration in the aggregate of nontidal wetlands that exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant's revised plans reduced the proposal from two crossings to the one necessary crossing approved.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported the common loon as occurring at Duncan Lake in the greater project vicinity; however the project site is in a commercial area on the western side of Rt. 16, and is surrounded by development, therefore, is not expected to affect this species.

5. The Ossipee Conservation Commission had concerns regarding road salt leaving this site passing under Rt. 16 and migrating to Duncan Lake. The applicant has proposed stormwater treatment for the site to properly handle site run-off.

2009-00784**HIDDEN GREEN PROPERTIES LLC, NEIL PANKHURST****MEREDITH Unnamed Stream Wetlands****Requested Action:**

Proposal to dredge and fill 2203 sq. ft. of wetlands (includes 1975 sq. ft. of temporary impacts and 169 linear feet of drainage ditch repair/stabilization) for installation of a water line, access and repair and replacement of two culverts for redevelopment of an existing commercial site for the "Winnepesaukee Playhouse".

APPROVE PERMIT:

Dredge and fill 2203 sq. ft. of wetlands (includes 1975 sq. ft. of temporary impacts and 169 linear feet of drainage ditch repair/stabilization) for installation of a water line, access and repair and replacement of two culverts for redevelopment of an existing commercial site for the "Winnepesaukee Playhouse".

With Conditions:

1. All work shall be in accordance with plans by Fluet Engineering Associates, P.C., plan sheet E1 and D5 dated January 12, 2009, plan sheet G1 revision date March 3, 2009, and plan sheets C0 through C3 revision date April 16, 2009, as received by DES on April 27, 2009.
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
3. Work shall be done during low flow.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one full growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
14. A New Hampshire Certified Wetland Scientist shall provide a follow-up monitoring report of the restored wetland impacts

within 60 days of construction of the waterline and after one full growing season.

15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial

nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The conservation commission submitted comments in support of the proposed project.

6. The project includes a net gain of removed pavement (4633 sq. ft.) area that will be loamed and seeded.

7. The project is conditioned with the impaired waters condition, which requires stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

2009-00793 LLK TRUST, THOMAS WALKER
WOLFEBORO Lake Wentworth

Requested Action:

Install two 6 ft x 50 ft seasonal piers, each anchored by a 6 ft x 4 ft concrete pad located landward of the normal highwater line, connected by a 6 ft x 10 ft walkway in a "U" configuration with a 14 ft x 30 ft seasonal canopy over the center slip, install 2 seasonal boat lifts and 2 seasonal personal watercraft lifts on an average of 1,130 ft of frontage on Lake Wentworth in Wolfeboro.

APPROVE PERMIT:

Install two 6 ft x 50 ft seasonal piers, each anchored by a 6 ft x 4 ft concrete pad located landward of the normal highwater line, connected by a 6 ft x 10 ft walkway in a "U" configuration with a 14 ft x 30 ft seasonal canopy over the center slip, install 2 seasonal boat lifts and 2 seasonal personal watercraft lifts on an average of 1,130 ft of frontage on Lake Wentworth in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 1, 2009, as received by DES on April 30, 2009.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.

5. All seasonal structures shall be removed from the lake for the non-boating season.

6. No portion of the piers shall extend more than 50 feet from the shoreline at full lake elevation.

7. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be removed for the non-boating season. Further, the flexible fabric cover shall be removed during all seasons of non-use.

8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip, seasonal docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 1,130 feet of shoreline frontage along Lake Wentworth.
4. A maximum of 16 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2009-00969 NH DEPT OF TRANSPORTATION
COLEBROOK Unnamed Wetland

Requested Action:

Propose to temporarily impact 6535 sq. ft. of wetlands for the construction of a water line from an existing well to a future pump station, and from future pump station to existing distribution system. All impact areas will be restored to existing conditions.

APPROVE PERMIT:

Temporarily impact 6535 sq. ft. of wetlands for the construction of a water line from an existing well to a future pump station, and from future pump station to existing distribution system. All impact areas will be restored to existing conditions.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers entitled Water Main Plan U.S. Route 3 (sheets 4, 5, and 7 of 12) revised July 01, 2009, as received by the Department on July 17, 2009 and sheets 1, 9,10, 11 and 12 of 12 as received by the Department on May 15, 2009.
2. The Town of Colebrook shall obtain permission from affected landowners.
3. Temporary impacts areas shall be restored to existing conditions. These areas shall be monitored and remedial actions taken if necessary. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
4. Mulch within the restoration area shall be straw.
5. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.
7. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
8. All material removed during work activities shall be placed out of DES's jurisdiction.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters,

all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

19. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor project per Administrative Rule Env-Wt 303.03(h) projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt-303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. All impact areas are temporary and will be restored to existing conditions.
5. The project is necessary because the town needs additional capacity for water distribution.
6. Project layout and installation by directional drilling has less impact than open trenching and more direct routes to the well.
7. This project is scheduled to receive funding through the American Recovery and Reinvestment Act.
8. NH Fish and Game commented that they do not expect impacts to the Northern Harrier as long all efforts to minimize impacts to wet meadow are made.
9. NH Fish and Game requested to be contacted if Northern Harrier use of the project site becomes evident.
10. Project revisions removed impact area #1, moved impact area #2, and resulted in an increase in impact area #2.
11. No comments were submitted from the NH Natural Heritage Bureau or the Colebrook Conservation Commission.

**2009-01348 PEMBROKE, TOWN OF
PEMBROKE Tributary To Newfound Lake**

Requested Action:

Propose to impact 700 sq. ft. of wetlands for the replacement of two 24" reinforced concrete pipes with a 4' high by 8' wide open bottom box culvert on French's Brook, a perennial stream. The stream bed (55 linear feet) will be restored to a natural stream bed.

APPROVE PERMIT:

Impact 700 sq. ft. of wetlands for the replacement of two 24" reinforced concrete pipes with a 4' high by 8' wide open bottom box culvert on French's Brook, a perennial stream. The stream bed (55 linear feet) will be restored to a natural stream bed.

With Conditions:

1. All work shall be in accordance with North Pembroke Road Improvements plans by KV Partners LLC entitled: Culvert Plan and Sections (sheet 1 of 2) and General Notes and Details (sheet 2 of 2) dated June 2009 as received by DES on June 24, 2009.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans

(if work is to be conducted in flowing water). Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

3. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
8. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
9. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (1) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project will increase hydraulic capacity and was designed for the 100 year storm event.
6. The project was designed to prevent washout of the driveway and North Pembroke Road.
7. Funds from a FEMA grant will be used for the project.
8. A natural stream bed will be restored upstream, downstream, and under the box culvert.
9. The property owner granted the town an easement for access, maintenance and construction purposes.
10. The NH Natural Heritage Bureau and/or the Nongame and Endangered Species Program reviewed the project and determined that, although there is an NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.
11. No comments were submitted the Pembroke Conservation Commission.

MINIMUM IMPACT PROJECT

2007-01713 RICKER, ANN
CHARLESTOWN

Requested Action:

Confirm emergency authorization issued August 01, 2007, to riprap stabilize \pm 350 square feet of eroding Connecticut Riverbank.

Inspection Date: 07/20/2007 by Jeffrey D Blecharczyk

CONFIRM EMERGENCY AUTHORIZATION:

Confirm emergency authorization issued August 01, 2007, to riprap stabilize \pm 350 square feet of eroding Connecticut Riverbank.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Env-Wt 303.04(o), Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The project was necessary to prevent bank failure.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on August 01, 2007.
4. Review of the submitted information pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2008-02241 GRAPPONE, KATHY
MOULTONBOROUGH Winnepesaukee Lake

Requested Action:

Proposal to retain 1454 sq. ft. of wetlands impacts and restore 622 sq. ft. that was placed in wetlands for access to the upland portion of lot 36 to construct a garage.

APPROVE PERMIT:

Retain 1454 sq. ft. of wetlands impacts and restore 622 sq. ft. that was placed in wetlands for access to the upland portion of lot 36 to construct a garage.

With Conditions:

1. All work shall be in accordance with plans by B. H. Keith Associates dated February 5, 2009, and narratives as received by DES on March 5, 2009 and narratives dated June 15, 2009, as received by DES on June 19, 2009.
2. This permit is contingent on approval of the proposed restoration by the DES Wetlands Bureau, Compliance Section.
3. If subsurface sewage disposal system is needed for the project/site permitting shall be required through the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The department has received a complaint regarding the crossing installed without a permit.
6. The applicant submitted an application to retain a crossing and restore wetlands impacts outside of the needed access.
7. The applicant's agent has provided information indicating that the proposed culvert is similar to existing culverts in the flow path.
8. The fill proposed to be removed should restore normal flows through the site addressing the complainants concerns.
9. The permit is contingent on approval by the DES Wetlands Bureau Compliance Section.

2008-02764 GELSOMINI, FRANK
HAMPTON Tidal Buffer

Requested Action:

Perform repairs to a 100 linear foot existing deteriorated retaining wall to reconstruct damaged portions, raise height of the wall 10 inches and construct a concrete cap to improve the stability and longevity of the wall on this previously developed lot in the tidal buffer zone.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission has field inspected this project and is not opposed to approval of the wetlands permit.

Inspection Date: 10/24/2008 by Frank D Richardson

Inspection Date: 07/10/2009 by Frank D Richardson

APPROVE PERMIT:

Perform repairs to a 100 linear foot existing deteriorated retaining wall to reconstruct damaged portions, raise height of the wall 10 inches and construct a concrete cap to improve the stability and longevity of the wall on this previously developed lot in the tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by Applicant, Frank J. Gelsomini dated 7/19/09, as received by DES on July 21, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

4. Repairs shall maintain existing size, location and configuration which the exception of 10 inches added height for stability and new cap on wall.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done only during periods of low tide.
7. All work shall be done by hand with no mechanized equipment of any description to be utilized in or on the adjacent salt marsh.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b)&(o), projects in previously-developed upland areas within 100 feet of the highest observable tide line and deemed minimum impact by the department based on the degree of environmental impact
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-00997 LONDONDERRY DPW, TOWN OF
LONDONDERRY Unnamed Wetland Little Cohas Brook**

Requested Action:

Dredge and fill a total of 2,800 sq. ft. of a constructed drainage swale carrying a perennial stream to remove the existing 36 inch dia. culvert and construct a new roadway crossing utilizing a 12 ft. wide x 6 ft. high box culvert to relocate wildlife corridor and to provide improved access to this industrial site associated with the relocation of Pettengill Road.

Conservation Commission/Staff Comments:

"The [Londonderry Conservation] Commission voted at its last meeting to recommend approval of the application as presented. We are pleased with the box culvert planned as a critter crossing."

APPROVE PERMIT:

Dredge and fill a total of 2,800 sq. ft. of a constructed drainage swale carrying a perennial stream to remove the existing 36 inch dia. culvert and construct a new roadway crossing utilizing a 12 ft. wide x 6 ft. high box culvert to relocate wildlife corridor and to provide improved access to this industrial site associated with the relocation of Pettengill Road.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated 01/14/09 & May 5, 2009, as received by DES on May 19, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
5. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

2009-01352 MADDEN, CHRISTOPHER & DEBRA
NEW HAMPTON Unnamed Stream Winona Lake

Requested Action:

Dredge and fill approximately 3920 square feet of intermittent stream and lake bed to rebuild, restore and stabilize an eroded intermittent stream channel and remove erosion sediment from Lake Winona which resulted from a August 2008 storm event. The project and is sponsored by the Town of New Hampton and designed and funded by the United States Department of Agriculture, Natural Resources Conservation Service ("NRCS") and is identified as EWP Streambank Stabilization for DSR #6 Madden.

APPROVE PERMIT:

Dredge and fill approximately 3920 square feet of intermittent stream and lake bed to rebuild, restore and stabilize an eroded intermittent stream channel and remove erosion sediment from Lake Winona which resulted from a August 2008 storm event. The project and is sponsored by the Town of New Hampton and designed and funded by the United States Department of Agriculture, Natural Resources Conservation Service ("NRCS") and is identified as EWP Streambank Stabilization for DSR #6 Madden.

With Conditions:

1. All work shall be in accordance with plans by NRCS plan sheets 1 through 12, revised through April 2009, as received by DES on June 26, 2009 and cross section and turbidity curtain plan and narratives by Stoney Ridge Environmental LLC, as received on June 26, 2009.
2. The project shall be monitored by NRCS or a designated qualified environmental monitor.
3. The sediment removal shall only be material with in the approved restoration areas that has resulted from the ongoing erosion and shall not go beyond the surface of the natural lake bed.
4. Work shall be done during low flow.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t) Restoration of altered or degraded wetlands provided the project:

- (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service ("NRCS"), or the US Fish and Wildlife Service;
 - (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order;
 - (3) Is not located in or adjacent to prime wetlands; and
 - (4) Does not meet the criteria of Env-Wt 303.02(k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The project is sponsored by the Town of New Hampton and is receiving funding from NRCS.
 4. The impacts were created from the August 2008 storm event.
 5. The project is needed to stop ongoing erosion of the stream channel and impacts to lake, protect the existing dwelling and to provide safe access to the property.
 6. The Town Conservation Commission is in support of the proposed project and design.
 7. The design and approval is consistent with similar storm damage repairs funded by NRCS.

FORESTRY NOTIFICATION

2009-01490 SPNHF
DEERING Unnamed Stream

COMPLETE NOTIFICATION:
Deering Tax Map 223, Lot# 26

2009-01491 GARLAND, JOHN
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 8, Lot# 2 & 15

2009-01493 PRIMACK, PHILIP
EPPING Unnamed Stream

COMPLETE NOTIFICATION:
Epping Tax Map 20, Lot# 3

2009-01503 DOWN, JASON
PLAINFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Plainfield Tax Map 242, Lot# 2

2009-01538 FRASER, JENNIFER
MIRROR LAKE Unnamed Stream

COMPLETE NOTIFICATION:

Tuftonboro Tax Map 53, Lot# 2

EXPEDITED MINIMUM

2009-00708 YOUNGS, TRACY
JAFFREY Unnamed Wetland

Requested Action:

Deny permit request to dredge and fill \pm 36 sq. ft. of palustrine forested wetlands to install six (6) utility poles for services to a proposed new house lot.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Dredge and fill \pm 36 sq. ft. of palustrine forested wetlands to install six (6) utility poles for services to a proposed new house lot.

With Findings:

1. A request for additional information dated May 13, 2009, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2008, requiring the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(2), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2009-00709 NEWCOMB, LAWRENCE & WENDY
MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove 2 existing concrete pads and install a 7 ft x 4 ft concrete pad, install a 6 ft x 40 ft seasonal dock, retain two PWC lifts, retain a 10 ft x 25 ft seasonal canopy on an average of 90 ft of shoreline frontage on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove 2 existing concrete pads and install a 7 ft x 4 ft concrete pad, install a 6 ft x 40 ft seasonal dock, retain two PWC lifts, retain a 10 ft x 25 ft seasonal canopy on an average of 90 ft of shoreline frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants revision dated June 29, 2009, as received by DES on June 29, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. Seasonal PWC lifts shall be removed from the lake for the non-boating season.
7. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be removed for the

non-boating season. Further, the flexible fabric cover shall be removed during all seasons of non-use.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. The applicant has an average of 90 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2009-00894 DOVER, CITY OF
DOVER Cocheco River

Requested Action:

Construct an addition to existing municipal sewer pump station impacting 1,008 sq. ft. in the developed upland tidal buffer zone.

APPROVE PERMIT:

Construct an addition to existing municipal sewer pump station impacting 1,008 sq. ft. in the developed upland tidal buffer zone.

With Conditions:

1. All work shall be in accordance with revised plans by Wright-Pierce Engineers dated 6/15/2009, as received by DES on 6/25/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects located in the previously developed upland within 100 feet of the highest observable tide line that are not classified as major or minor projects.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is an upgrade of the existing municipal pump station.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The species of concern reported by the NH Natural Heritage Bureau are located in the Cocheco River itself and will not be affected by reworking an existing heavily disturbed urbanized site.
5. The Dover Conservation Commission signed the minimum impact expedited application.

6. The site is exempt from the requirements of the Comprehensive Shoreland Protection Act, RSA 483-B, as it is covered by an Urban Exemption approved by DES on 10/23/2008.

**2009-01181 CHARLESTOWN, TOWN OF
CHARLESTOWN Unnamed Stream**

Requested Action:

Replace eight (8) town road culverts (Michael Avenue, Emile Avenue, Coral Avenue and David Avenue), clean drainage ditches and replace driveway culverts as needed.

APPROVE PERMIT:

Replace eight (8) town road culverts (Michael Avenue, Emile Avenue, Coral Avenue and David Avenue), clean drainage ditches and replace driveway culverts as needed.

With Conditions:

1. All work shall be in accordance with plans received by the Department on June 16, 2009.
2. Work shall be done during low flow conditions and in the dry.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j), projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. Natural Heritage Bureau review has indicated the project will not impact an exemplary natural community or community with occurrences of state or federally listed Endangered or Threatened species.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-01193 HANLEY, KEVIN
ALTON Lake Winnepesaukee**

Requested Action:

Repair and replace three 34 ft 6 inch retaining walls and four 14 ft to 12 ft retaining walls "in kind" on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application on June 12, 2009

APPROVE PERMIT:

Repair and replace three 34 ft 6 inch retaining walls and four 14 ft to 12 ft retaining walls "in kind" on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated June 4, 2009, as received by DES on June 17, 2009.
2. All repairs shall maintain existing size, location and configuration.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls in kind.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

GOLD DREDGE

2009-01502 COSSETTE, THOMAS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

2009-01557 MCCONNELL, JAMES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Conservation Commission

2009-01558 COOK, ROBERT
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2009-01532 BAUR, WILLIAM
KINGSTON Great Pond

COMPLETE NOTIFICATION:

Kingston Tax Map U4, Lot# 160 Great Pond

2009-01549 LAFORT, BRYAN
GILFORD Lake Winnepesaukee

COMPLETE NOTIFICATION:

Gilford Tax Map 251, Lot# 37 Lake Winnepesaukee

ROADWAY MAINTENANCE NOTIF

2009-01498 DUBLIN HIGHWAY DEPT, TOWN OF
DUBLIN Unnamed Stream

COMPLETE NOTIFICATION:

Replace 9 culverts and headwalls

2009-01559 NH DRED, SANDY YOUNG
CLARKSVILLE Unnamed Stream

COMPLETE NOTIFICATION:

replace 36" culvert

PERMIT BY NOTIFICATION

2009-01248 PUBLICOVER, CHARLES & RACHEL
GILMANTON Unnamed Wetland

Requested Action:

Proposal to impact 540 sq. ft. of wetlands to install one 18 in. x 15 ft. culvert for the construction of driveway for a single family building lot.

PBN IS COMPLETE:

Impact 540 sq. ft. of wetlands to install two 18 in. x 15 ft. culverts for the construction of driveway for a single family building lot.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.

2009-01285 SULEWSKI, FERNAND
LACONIA Lake Winnepesaukee

Requested Action:

Install a seasonal boatlift in an existing slip.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Install a seasonal boatlift in an existing slip.

With Findings:

Install a seasonal boatlift in an existing slip.

2009-01417 PANTINA, ROBERT
STODDARD Highland Lake

Requested Action:

Install an anchoring pad for a seasonal dock.

Conservation Commission/Staff Comments:

Con Com signed PBN form July 07, 2009

PBN IS COMPLETE:

Install an anchoring pad for a seasonal dock.

With Findings:

Install an anchoring pad pursuant to Env-Wt 506.01.

2009-01481 PUBLIC SERVICE OF NH
KEENE Unnamed Wetland

Requested Action:

Temporarily impact 2,700 sq. ft. of palustrine scrub-shrub wetlands for swamp mat installation for access to and replacement of existing structures.

PBN IS COMPLETE:

Temporarily impact 2,700 sq. ft. of palustrine scrub-shrub wetlands for swamp mat installation for access to and replacement of existing structures.

With Findings:

1. The Conservation Commission did not sign the PBN, and therefore did not waive their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
3. The Natural Heritage Bureau review indicated the presence of dwarf wedge mussel, common nighthawk and wood turtle in the

vicinity of the project.

4. In email correspondence dated June 16, 2009, the NHFG Nongame and Endangered Wildlife Program indicated because work will occur in late August or early September and project location, impacts to identified species is not expected.

2009-01548 JEAN, ROGER
ALTON Lake Winnepesaukee

Requested Action:

Repair existing docking structures.

Conservation Commission/Staff Comments:

Con Com signed PBN form on July 21, 2009

PBN IS COMPLETE:

Repair existing docking structures.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2009-00366 BELLETTE, DANA
BELMONT Lake Winnisquam

Requested Action:

Impact 1,820 sq ft for the purpose of replacing and expanding an existing deck and constructing a 6' wide path to the waterfront using pervious pavers.

Inspection Date: 04/20/2009 by Grant E Mecozzi

APPROVE PERMIT:

Impact 1,820 sq ft for the purpose of replacing and expanding an existing deck and constructing a 6' wide path to the waterfront using pervious pavers.

With Conditions:

1. All work shall be in accordance with plans by Dana Bellete revised June 28, 2009 and received by the Department of Environmental Services ("DES") on June 30, 2009.
2. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
3. There shall be no removal of native ground cover or impacts within the waterfront buffer except for 6' wide path to the waterfront. The path shall be constructed of pervious technologies as proposed by Dana Bellete and configured in such a manner so as not to contribute to stormwater runoff or erosion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes

steeper than 3:1.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 7,627 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,627 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00521 PROCOPIO, KEVIN & MARY
TILTON Silver Lake

Requested Action:

Impact 3,834 sq ft to construct a single family home, gravel driveway, septic system and incidental site work on a previously undeveloped lot.

APPROVE PERMIT:

Impact 3,834 sq ft to construct a single family home, gravel driveway, septic system and incidental site work on a previously undeveloped lot.

With Conditions:

1. All work shall be in accordance with plans by Engineering Alliance, Inc. dated June 25, 2009 and received by the Department of Environmental Services ("DES") on July 6, 2009.
2. There shall be no impacts to wetlands unless specifically authorized in a Wetlands Permit issued in accordance with RSA 482-A.
3. This permit is contingent on approval by the DES Wetlands Bureau.
4. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 983sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 360 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.

12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.
13. This permit is contingent on approval by the DES Subsurface Bureau.

With Findings:

1. Pursuant to RSA 483-B:10, this project will occur on a pre-existing, non-conforming lot of record and, therefore, would not require a Shoreland Variance.

2009-00657 CONCORD REGIONAL SOLID WASTE, RESOURCE RECOVERY CO
PENACOOK Merrimack River

Requested Action:

Impact 33,400 sq ft for the upgrade of a pre-existing road and the construction of a commercial driveway entry.

APPROVE PERMIT:

Impact 33,400 sq ft for the upgrade of a pre-existing road and the construction of a commercial driveway entry.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated April 2009 and received by the Department of Environmental Services ("DES") on July 3, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Wetlands Program.
4. No more than 5.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 128,500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 64,250 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The only impacts authorized within the Protected Shoreland are associated with the existing access road, formerly known as Hannah Dustin Drive, now known as Whitey Road extension and the entry to a proposed commercial driveway.
2. This project as proposed meets the minimum standards of RSA 483-B:9(V) and, therefore, is approved.

2009-00986 VALLIERE, CHARLES
FRANKLIN Webster Lake

Requested Action:

Impact 1000 sq ft for the purpose of constructing a gravel driveway.

APPROVE PERMIT:

Impact 1000 sq ft for the purpose of constructing a gravel driveway.

With Conditions:

1. All work shall be in accordance with plans by Charles Valliere revised July 6, 2009 and received by the Department of Environmental Services ("DES") on July 6, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No more than 2.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. There shall be no impacts to native vegetation associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (i).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01060 **JOYCE, WILLIAM**
GILMANTON **Crystal Lake**

Requested Action:

Impact 14,773 sq ft for the purpose of constructing a single-family dwelling with detached garage, driveway, and state approved septic system.

APPROVE PERMIT:

Impact 14,773 sq ft for the purpose of constructing a single-family dwelling with detached garage, driveway, and state approved septic system.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants LLC dated April 30, 2009 and received by the Department of Environmental Services ("DES") on June 1, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes

steeper than 3:1.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No more than 0.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 76,143 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 76,143 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01067 THORNDIKE, CHARLES
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 11,613 sq ft for the purpose of constructing a single-family dwelling with driveway, septic and pathway to the water front.

APPROVE PERMIT:

Impact 11,613 sq ft for the purpose of constructing a single-family dwelling with driveway, septic and pathway to the water front.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors revised May 20, 2009 and received by the Department of Environmental Services ("DES") on June 2, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All proposed impacts within wetlands, surface waters, and their banks to include the placement of water dependent structures shall require a Wetland Permit under RSA 482-A.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No more than 17.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 11,810 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,905 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01289

GENNARO, PETER & CHRISTINE

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 1410 sq ft for the purpose of constructing a detached garage and installing stormwater management controls.

APPROVE PERMIT:

Impact 1410 sq ft for the purpose of constructing a detached garage and installing stormwater management controls.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated June 18, 2009 and received by the Department of Environmental Services ("DES") on June 24, 2009.
2. No more than 28.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,791 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,791 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-01295

PETERS LIVING TRUST, MARTHA

WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 24,905 sq ft for the purpose of removing an existing non-conforming dwelling and constructing a conforming 4 bedroom single-family dwelling with storage shed, and realigning the existing driveway.

APPROVE PERMIT:

Impact 24,905 sq ft for the purpose of removing an existing non-conforming dwelling and constructing a conforming 4 bedroom single-family dwelling with storage shed, and realigning the existing driveway.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey CO., INC. dated June 23, 2009 and received by the Department of Environmental Services ("DES") on June 24, 3009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No more than 18.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 12,914 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,100 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01336 FLECK, MICHAEL
DANVILLE Long Pond

Requested Action:

Impact 900 sq ft for the purpose of constructing a new garage.

APPROVE PERMIT:

Impact 900 sq ft for the purpose of constructing a new garage.

With Conditions:

1. All work shall be in accordance with plans by Michael Fleck and received by the Department of Environmental Services ("DES") on June 29, 2009.
2. No more than 15.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-01338 AHO, RICHARD
HEBRON Newfound Lake

Requested Action:

Impact 218 sq ft for the purpose of constructing a walkway towards the shoreline.

APPROVE PERMIT:

Impact 218 sq ft for the purpose of constructing a walkway towards the shoreline.

With Conditions:

1. All work shall be in accordance with plans submitted by Alfred Schwartz and received by the Department of Environmental Services ("DES") on June 29, 2009.
2. No more than 22.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,428 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,428 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. The project as proposed increases the impervious area of the lot within the protected shoreland beyond 20%, therefore, a stormwater management plan must be implemented.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

2009-01340 HARRISVILLE, TOWN OF
HARRISVILLE Skatutakee Lake

Requested Action:

Impact 6,743 sq ft for the purpose of bridge repair, roadway widening and drainage improvements.

APPROVE PERMIT:

Impact 6,743 sq ft for the purpose of bridge repair, roadway widening and drainage improvements.

With Conditions:

1. All work shall be in accordance with plans created by Holden Engineering dated June 23, 2009 and received by the Department of Environmental Services ("DES") on June 29, 2009.
2. All increases in impervious area of the lot within the protected shoreland beyond that indicated on detailed plans submitted by Holden Engineering may not occur unless additional approval is obtained from DES.
3. All areas temporarily impacted will be stabilized upon completion of the project and replanted with native vegetation.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-01344 NEILSEN, OTTO
WASHINGTON Unnamed Wetland Island Pond

Requested Action:

Impact 1,176 sq ft for the purpose of constructing an addition and an attached garage to an existing dwelling.

APPROVE PERMIT:

Impact 1,176 sq ft for the purpose of constructing an addition and an attached garage to an existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by Otto Nielsen dated June 15, 2009 and received by the Department of Environmental Services ("DES") on June 29, 2009.
2. No more than 19.87% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,2075 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,075 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-01345 WHITE, DANIEL
LINCOLN East Branch Of Pemi River

Requested Action:

Impact 9,262 sq ft for the purpose of constructing a residential dwelling and parking area.

APPROVE PERMIT:

Impact 9,262 sq ft for the purpose of constructing a residential dwelling and parking area.

With Conditions:

1. All work shall be in accordance with plans by Kellogg Surveying Mapping Inc, dated July 29, 2009 and July 21, 2009 and received by the Department of Environmental Services ("DES") on December 18, 2008.
2. No more than 14.48% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 11,451 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,180 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

2009-01346 ROCHESTER, CITY OF
ROCHESTER Cocheco River

Requested Action:

Impact 24,000 sq ft for the purposes of constructing a water treatment facility with transformer pad, retaining walls and paved parking area.

APPROVE PERMIT:

Impact 24,000 sq ft for the purposes of constructing a water treatment facility with transformer pad, retaining walls and paved parking area.

With Conditions:

1. All work shall be in accordance with plan sheets 3 and 4 by Wright-Pierce dated June 2009 and received by the Department of Environmental Services ("DES") on June 30, 2009.
2. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. No more than 1.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. The project as proposed will leave approximately 70,650 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 70,650 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

According to RSA 483-B:9,III "Public water supply facilities, including water supply intakes, pipes, water treatment facilities, pump stations, and disinfection stations shall be permitted by the commissioner as necessary, consistent with the purposes of this chapter and other state law. Private water supply facilities shall not require a permit."

2009-01367 NELSON, CHARLIE
NEWBURY Lake Sunapee

Requested Action:

Impact 2,500 sq ft for the purpose of expanding and converting existing driveway to pervious material.

APPROVE PERMIT:

Impact 2,500 sq ft for the purpose of expanding and converting existing driveway to pervious material.

With Conditions:

1. All work shall be in accordance with plans submitted by Fritz Von Beren, FUB Landscaping and received by the Department of Environmental Services ("DES") on July 1, 2009.
2. No more than 18.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0.0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,515 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-01370 MCANDREW, MICHAEL & ANN
NEW CASTLE Piscataqua River

Requested Action:

Impact 2,200 sq ft for the purpose of expanding the footprint of an existing garage.

APPROVE PERMIT:

Impact 2,200 sq ft for the purpose of expanding the footprint of an existing garage.

With Conditions:

1. All work shall be in accordance with plans created by Peter Follansbee and received by the Department of Environmental Services ("DES") on July 2, 2009.
2. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0.0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,003 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an

unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

2009-01375 ZURHELLEN, WILLIAM
HOLDERNESS Squam Lake

Requested Action:

Impact 476 sq ft for the purpose of expanding an existing, conforming, primary structure.

APPROVE PERMIT:

Impact 476 sq ft for the purpose of expanding an existing, conforming, primary structure.

With Conditions:

1. All work shall be in accordance with plans submitted by William Zurhellen and received by the Department of Environmental Services ("DES") on July 20, 2009.

2. No more than 10.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 2,863 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,863 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.
13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

2009-01391 STURM RUGER CO INC
NEWPORT Sugar River

Requested Action:

Impact 937 sq ft for the purpose of constructing an entranceway to an existing building and a landscape area.

APPROVE PERMIT:

Impact 937 sq ft for the purpose of constructing an entranceway to an existing building and a landscape area.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting LLC dated June 26, 2009 and received by the Department of Environmental Services ("DES") on July 6, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No more than 38.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. There shall be no impacts to native vegetation associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01409 ASHLAND, TOWN OF
ASHLAND Squam River

Requested Action:

Impact 9,520 sq ft for the purpose of repairing an existing bridge, road widening and drainage improvements.

APPROVE PERMIT:

Impact 9,520 sq ft for the purpose of repairing an existing bridge, road widening and drainage improvements.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering & Surveying, Inc. dated June, 22 2009 and received by the Department of Environmental Services ("DES") on July 7, 2009.
2. No increases in impervious within the protected shoreland beyond that identified on a detailed site plan may occur unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Silt fencing must be removed once the area is stabilized.
11. This permit is contingent on approval by the wetlands bureau for impact jurisdictional under RSA 482-A.

2009-01424 ANTHONY, ALEXANDER
HOLDERNESS Squam Lake

Requested Action:

Impact 2,922 sq ft for the purpose of constructing a new garage and driveway.

APPROVE PERMIT:

Impact 2,922 sq ft for the purpose of constructing a new garage and driveway.

With Conditions:

1. All work shall be in accordance with plans submitted by Alexander Anthony and recieved by the Department of Environmental Services ("DES") on July 3, 2009.
2. No more than 13.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 13,806 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,583 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-01427 NH FISH & GAME DEPARTMENT
DURHAM Great Bay

Requested Action:

Impact 2,000 sq ft for the purpose of installing foundation membrane and storm drain lines.

APPROVE PERMIT:

Impact 2,000 sq ft for the purpose of installing foundation membrane and storm drain lines.

With Conditions:

1. All work shall be in accordance with plans by Oak Point Associates dated June 30, 2009 and received by the Department of Environmental Services ("DES") on July 8, 2009.
2. No more than 2.77% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 948,093 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 629,275 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-01445 BURGDORFF, GLYNIS
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 3,421 sq ft for the purpose of installing a new foundation.

APPROVE PERMIT:

Impact 3,421 sq ft for the purpose of installing a new foundation.

With Conditions:

1. All work shall be in accordance with plans submitted by White Mountain Survey Co, Inc., and received by the Department of Environmental Services ("DES") on July 10, 2009.
2. No more than 21.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 11,514 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,063 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.
13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

2009-01550 MACLEOD, RONDA
MADBURY Royal Cove

Requested Action:

Impact 391 sq ft for the purpose adding a deck to an existing, conforming, primary structure.

APPROVE PERMIT:

Impact 391 sq ft for the purpose adding a deck to an existing, conforming, primary structure.

With Conditions:

1. All work shall be in accordance with plans created by Rhonda Macleod dated July 15, 2009 and received by the Department of Environmental Services ("DES") on July 22, 2009.
2. No more than 19.88% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,025 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2) but, the existing property has 0.0% existing in an unaltered state and it can be continued to be maintained a such.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Silt fencing must be removed once the area is stabilized.

CSPA PERMIT W/VARIANCE

2009-01290 THIBODEAU, RENE
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 2165 sq ft for the construction of a 30 ft x 35 ft garage, reconfigure driveway, expand existing deck, plant native vegetation, and install two infiltration trenches.

Inspection Date: 07/16/2009 by Raymond M Reimold

APPROVE PERMIT:

Impact 2165 sq ft for the construction of a 30 ft x 35 ft garage, reconfigure driveway, expand existing deck, plant native vegetation, and install two infiltration trenches.

WAIVER APPROVED: RSA 483-B:9(V)(g)(2) is waived to allow for the increase of impervious surfaces from 21.5% to 28.5% without requiring the applicant to replant natural tree and sapling cover in the waterfront buffer meet the 50-point minimum score in one 50 ft grid segment.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated July 16, 2009 and received by the Department of Environmental Services ("DES") on July 20, 2009.
2. This approval includes a Waiver of RSA 483-B:9(V)(g)(2) and, therefore, shall not be effective until it has been recorded at the Strafford County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 28.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 4,225 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,385 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This project as proposed increases impervious surfaces from 21.5% to 28.5%, and would therefore require the applicant to have at least 50 points of vegetation in each segment of the waterfront buffer. This project as proposed would have one 50 foot segment of the waterfront buffer with only 24 points of vegetation, and therefore fails comply to the restrictions set forth in RSA 483-B:9(V)(g)(2) of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The project as proposed would result in an increase in impervious surfaces from 21.5% to 28.5%.
4. The applicant has proposed to install infiltration trenches, plant native woody shrubs and trees within the Natural Woodland Buffer, and remove a shed, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

CSPA PERMIT W/WAIVER

2009-00590 JAKOBSEN, TORE & DEE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 4,278 sq ft to construct a 20 ft x 20 ft addition and a 10 ft x 16 ft porch to an existing non-conforming structure and reconfigure driveway.

Inspection Date: 06/02/2009 by Raymond M Reimold

APPROVE PERMIT:

Impact 4,278 sq ft to construct a 20 ft x 20 ft addition and a 10 ft x 16 ft porch to an existing non-conforming structure and reconfigure driveway.

WAIVERS APPROVED: RSA 483-B:9,II,(b) and RSA 483-B:9,V(g)(1) are waived to allow the expansion of a primary structure that encroaches upon the primary building setback and allow for construction of impervious surfaces that will exceed 30% coverage of the lot.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated June 24, 2009 and received by the Department of Environmental Services ("DES") on June 26, 2009.
2. This approval includes waivers of RSA 483-B:9,II,(b) and RSA 483-B:9,V(g)(1) to allow the expansion of a primary structure that encroaches upon the primary building setback and allow for construction of impervious surfaces that will exceed 30% coverage of the lot, and therefore, shall not be effective until they have been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. All areas shown on plans as "existing deck" and areas that are currently deck with overhangs shall remain deck or open (screened) porch, and shall not be converted to living space.
4. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "deck over water", "retaining wall", or any other docking structures

on the plans and or photographs submitted by the applicant were not previously permitted or grandfathered.

6. No more than 41.94% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

7. The project as proposed will leave approximately 548 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. All of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.

2. The project as proposed would decrease impervious surfaces from 45.10% to 41.94%, and therefore fails to conform to 483-B:9,V(g)(1) that states impervious surfaces will not exceed 30% coverage of the lot.

3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."

4. The project as proposed would result in a decrease in impervious surfaces from 45.1% to 41.94%.

5. The applicant has proposed to remove 802 sq ft of a pervious driveway, remove a pipe that discharges stormwater into the lake, install a drywell, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

**2009-00753 52 WOODLAND PROPERTIES LLC, JASON DROUIN
ALTON Lake Winnepesaukee**

Requested Action:

Request name change to 52 Woodland Properties LLC per request received 7/14/09. Previous owner: Peter G. Rice Nov 2004 Rev. Trust.

Inspection Date: 06/02/2009 by Raymond M Reimold

APPROVE NAME CHANGE:

Change name to 52 Woodland Properties, LLC., 196 Cotton Hill Road, Gilford NH 03249 on Shoreland Permit authorizing: Impact 3,370 sq ft to repair sections of the foundation of an existing nonconforming structure, construct a 16'x 20' addition, remove existing detached garage and shed, reconfigure existing drive, remove portion of deck extending over the bank, and convert a deck into a screened in porch.

WAIVER APPROVED: RSA 483-B:9,II,(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback

With Conditions:

1. No new impervious surfaces shall be constructed until 1.7' of the deck is removed.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. This approval includes a Waiver of RSA 483-B:9,II,(b) and, therefore, shall not be effective until it has been recorded at the Belknap County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt

requested.

4. All work shall be in accordance with plans by Ames Associates dated June 4, 2009 and received by the Department of Environmental Services ("DES") on June 5, 2009.
5. No more than 34.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. The project as proposed will leave approximately 1,560 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,074 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Ws 1406.18.

2009-01203 STREAM, JOHN & PATRICIA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 5320 sq. ft. for the installation of a patio, stone walkways, retaining wall; and to reduce gravel drive, install a rain garden, drywell, plant native vegetation and landscape site.

Inspection Date: 07/16/2009 by Raymond M Reimold

APPROVE PERMIT:

Impact 5320 sq. ft. for the installation of a patio, stone walkways, retaining wall; and to reduce gravel drive, install a rain garden, drywell, plant native vegetation and landscape site.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates dated June 10, 2009 and received by the Department of Environmental Services ("DES") on June 17, 2009.
2. No more than 22.51% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,730 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,327 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

